

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

SYNCPPOINT IMAGING, LLC,

Plaintiff,

vs.

NINTENDO OF AMERICA INC., et al.,

Defendants.

No. 2:15-cv-00247-JRG-RSP

Nintendo's Post-Hearing Motion to Join
Karl Hansen and the Pia Firm as Party Defendants

In its Motion for Exceptional Case Attorney Fees, Nintendo requested that the Pia Firm and Mr. Hansen be joined as parties to this case and that fees be imposed jointly and severally against them.¹ On June 14, 2018, the Court held a hearing on Nintendo's Motion. The hearing revealed: (1) SyncPoint is the alter ego of Mr. Hansen, and that the corporate veil separating SyncPoint and Mr. Hansen should be pierced; and (2) the Pia Firm was directly and actively responsible for the conduct that made this case exceptional, and therefore, should be jointly and severally responsible for Nintendo's fees associated with this exceptional case.

Therefore, Nintendo respectfully, formally, moves the Court pursuant to Federal rule of Civil Procedure 19 and the Court's inherent power² for an order joining Mr. Hansen and the Pia Firm and imposing any award of attorney fees jointly and severally against them.

¹ Dkt. 290 at 1, 21, 30 (Motion for Attorney's Fees); Dkt. 320 at 8-9 (Reply Brief in Support of Motion); Dkt. 355.

² See, *Iris Connex, LLC v. Dell, Inc.*, 235 F.Supp.3d 826, 839 (E.D. Tex. 2017).

Dated: June 25, 2018

Respectfully submitted,

By: /s/ Grant Kinsel
Grant Kinsel

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*Attorneys for Nintendo Co., Ltd.
and Nintendo of America Inc.*

CERTIFICATE OF SERVICE

I certify that all counsel of record who are deemed to have consented to electronic service are being served this June 25, 2018 with a copy of this document via the Court's CM/ECF system.

/s/ Kevin A. Zeck

Kevin A. Zeck